

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SUPPRESSED

FILED

UNITED STATES OF AMERICA,

)

APR 30 2014

Plaintiff,

)

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

vs.

No.

TERRELL LANGSTON and
MONTRAIL AUSTIN,

)

Defendant.

)

4:14CR00133 RWS/TIA

INDICTMENT

COUNT ONE

Introduction

1. At all relevant times, Defendant Terrell Langston was a resident of the State of Florida residing in the Tallahassee area.
2. At all relevant times, Defendant Montrail Austin was a resident of the State of Florida residing in the Miami area.
3. At all relevant times, Devin Palmer was a resident of the State of Missouri residing in the St. Louis area within the Eastern District of Missouri.

The Conspiracy

4. The conspiracy existed from at least February 6, 2012 through at least May 22, 2013.
5. It was the object of the conspiracy for the Defendants and others known and unknown to the Grand Jury to file fraudulent federal income tax returns, Form 1040s and other documents (collectively “tax returns”), in names of other individuals without lawful authority or consent of such individuals to use their names and other identifying material or to file their tax returns for the purpose of fraudulently obtaining funds of the

United States.

The Manner and Means of the Conspiracy

6. It was a part of the conspiracy that Defendant Terrell Langston and others known and unknown would obtain names, social security account numbers and other identifying information and prepare false and fraudulent tax returns in the names of those individuals. In every instance, the false and fraudulent tax returns called for a refund and directed the refund to a financial account, usually a prepaid, internet-based, debit account or a stored value card or prepaid debit card Defendant Langston controlled.
7. It was a part of the conspiracy that Defendant Langston enlisted Defendant Montrail Austin to collect some of those fraudulent refunds credited to physical stored value cards and prepaid debit cards sent around the county to various addresses associated with friends and associates of Defendant Langston and Defendant Austin.
8. It was a part of the conspiracy that Devin Palmer, who was a friend and former schoolmate of Defendant Austin, collected stored value cards and prepaid debit cards at his address in the Eastern District of Missouri and at the address of his girlfriend which also lies within the Eastern District of Missouri.
9. It was a part of the conspiracy that Palmer and others within and without the Eastern District of Missouri would collect stored value cards and prepaid debit cards with funds generated by the conspiracy, “strip” the cash off them by means of automated teller machines and the purchase of internet-based “money packs” and otherwise and provide those funds and account information to Defendants Austin and Langston. In exchange for their work Devin Palmer and others received a percentage of the proceeds.

Overt Acts of the Conspiracy

10. In February 2012, Defendant Austin directed approximately five stored value cards to

the Eastern District of Missouri which cards contained the proceeds of the conspiracy.

11. Between on or about February 6, 2012 and February 8, 2012, Defendant Austin traveled to the Eastern District of Missouri for the purpose of meeting with Devin Palmer and others to collect the proceeds of stored value cards and prepaid debit cards containing the proceeds of the conspiracy and split up those proceeds.
12. On or about May 1, 2013, Defendant Langston prepared and filed the false and fraudulent tax return of individuals with the initials M.M. and D.B. without lawful consent or authority which return called for a refund of \$8,407. The refund was paid with funds of the United States to a stored value card with an account number ending in 0726.
13. Between May 9, 2013 and May 18, 2013, Devin Palmer “stripped” the proceeds of the conspiracy off the aforementioned stored value card at locations within the Eastern District of Missouri and used the funds to purchase “money packs” which are internet based financial accounts. Palmer communicated the identifying information for these money packs to Defendant Austin and Defendants Austin and Langston transferred the balances of these “money packs” onto stored value cards in Tallahassee, Florida and Miami, Florida.
14. On or about April 30, 2013, Defendant Langston prepared and filed the false and fraudulent tax return of individuals with the initials W.B. and A.B.
15. On or about May 1, 2013, Defendant Langston prepared and filed the false and fraudulent tax return of individuals with the initials T.J. and A.J.
16. On or about May 2, 2013, Defendant Langston prepared and filed the false and fraudulent tax return of individuals with the initials A.C. and L.C.
17. On or about May 3, 2013, Defendant Langston prepared and filed the false and

fraudulent tax return of individuals with the initials T.P and B.S.

18. On or about May 3, 2013, Defendant Langston prepared and filed the false and fraudulent tax return of individuals with the initials J.S. and B.S.
19. For the 2011 and 2012 tax years, approximately 461 tax returns seeking more than \$2,000,000 in refunds were filed from IP (internet protocol) addresses associated with the conspiracy.

Offense Conduct

20. Between at least on or about February 6, 2012, and continuing through at least on or about May 22, 2013, with the exact dates unknown to the Grand Jury,

**TERRELL LANGSTON
and
MONTRAIL AUSTIN,**

and others known and unknown to the Grand Jury, combined, conspired confederated and agrees to commit an offense against the United States, to wit: the theft of government funds in violation of Title 18, United States Code Section 641 and aggravated identity theft in violation of Title 18, United States Code Section 1028A and, during the existence of said conspiracy, one or more overt acts in furtherance and execution thereof was committed by a member of the conspiracy.

In violation of Title 18, United States Code Section 371.

COUNT TWO

The Grand Jury charges that:

On or about May 1, 2013, in the Eastern District of Missouri and elsewhere,

**TERRELL LANGSTON
and
MONTRAIL AUSTIN,**

did knowingly and intentionally embezzle, steal and purloin money of the United States, to wit: a federal income tax refund purportedly due M.M. and D.B. in the amount of \$8,407.00.

In violation of Title 18, United States Code, Section 641.

COUNT THREE

The Grand Jury further charges that:

On or about May 1, 2013 in the Eastern District of Missouri and elsewhere,

**TERRELL LANGSTON
and
MONTRAIL AUSTIN,**

during and in relation to the offense of theft of public money in violation of Title 18, United States Code Section 641 as set forth at Count II, did knowingly use without lawful authority, a means of identification of M.M. and D.B., to wit: the name and social security account number of M.M. and D.B.

In violation of Title 18, United States Code, Section 1028A(a)(1).

A TRUE BILL

FOREPERSON

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